

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Lydia Stough,

NO. C 06-01227 JW -JW

Plaintiff,

**ORDER TO SHOW CAUSE
RE: SETTLEMENT**

v.

Liberty Life Assurance Company of Boston
et al.,


Defendants.

On September 26, 2006, Plaintiff filed a Notice of Settlement informing the Court that the above-entitled matter has reached a settlement. (See Docket Item No. 11.) In light of the settlement, the Court vacates all trial and pretrial dates. On or before **November 10, 2006**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **November 13, 2006 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before November 10, 2006, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

1 Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss
2 this action.

3
4 Dated: October 17, 2006



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Frank N. Darras fdarras@shernoff.com
3 Michael B. Horrow mhorrow@shernoff.com
4 Pamela E. Cogan pcogan@ropers.com
5 Robert Mario Forni rforni@ropers.com

6 **Dated: October 17, 2006**

Richard W. Wieking, Clerk

7 **By: /s/ JW Chambers**
8 **Elizabeth Garcia**
9 **Courtroom Deputy**